

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

WALKER, et al.,

Plaintiffs,

v.

Case No. 10-12596

DETROIT PUBLIC SCHOOL DISTRICT, et al.,

Defendants.

SUPPLEMENTARY ORDER OUTLINING QUESTIONS FOR ARGUMENT

The court will hear argument on Defendant Detroit Public School District's ("DPS") motion to dismiss on November 17, 2010, at 2:30 P.M. For the benefit of the parties and the court, the court requests counsel to be prepared to address the following questions:

1. Whether a general student population at a high school is a specifically definable group that may be distinguished from the public at large for the purpose of the state-created danger analysis.
2. If the answer to the first question is in the negative, whether the complaint's use of the phrase, "in particular," (Compl. ¶¶ 55, 57), is sufficient to define Plaintiffs from the public at large such that Plaintiffs' state-created danger claim is plausible on its face.
3. Whether the complaint avers sufficient facts regarding what DPS knew or should have known about the risks of combining two schools to plead a claim of state-created danger that is plausible on its face.

s/Robert H. Cleland

ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 15, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 15, 2010, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522